

Notice of Allowability

Application No.

09/785,220

Examiner

Mark Fadok

Applicant(s)

SAKAI ET AL.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/11/2006.
2. ☒ The allowed claim(s) is/are 17, 22 and 23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>10/2/2006</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>7/19/2006</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment

The examiner is in receipt of applicant After Final Amendment dated 9/11/2006. Acknowledgement is made to the amendments to claims 17,22 and 23. The examiner has carefully considered the applicant's claim amendment and remarks and after agreement to the examiner's amendment as stated below the following reasons for allowance is set forth.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas Jones on 10/2/2006.

In claim 17, remove lines 13-16 and replace with the following:

--wherein the gift information is generated on the accumulated order information or changed order information and the providing includes deciding whether a portion of the gift information is opened to the sender based on corresponding flag information included in the gift information, the flag information being set by the recipient.--

In claim 22,

- In line 1, delete "product" and insert--computer program product embodied on a storage medium--
- remove lines 14-17 and replace with the following:

--wherein the gift information is generated on the accumulated order information or changed order information and the providing includes deciding whether a portion of the gift information is opened to the sender based on corresponding flag information included in the gift information, the flag information being set by the recipient.--

In claim 23, remove lines 16-19 and replace with the following:

--wherein the gift information is generated on the accumulated order information or changed order information and the providing includes deciding whether a portion of the gift information is opened to the sender based on corresponding flag information included in the gift information, the flag information being set by the recipient.--

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Claims 17,22 and 23 are allowable.

The following is an Examiner's statement of the reasons for allowance for all independent claims 17,22 and 23.

The present invention is directed a method, computer product and server for providing to a gift sender a recipient's likes and dislikes based on received gifts, the recipient identifying which likes and dislikes the sender can view. Claims 17,22 and 23

identify the following unique features, inter alia, wherein the gift information is generated on the accumulated order information or changed order information and the providing includes deciding whether a portion of the gift information is opened to the sender based on corresponding flag information included in the gift information, the flag information being set by the recipient.

Discussion of most relevant art:

US Patents and PG-PUB

(i) US Patent 6,633,849 to Dodd teaches a method for electronically forwarding an online gift. Dodd however, fails to render the above-mentioned application's limitations obvious.

(ii) US PG PUB 20020016734 to McGill et al teaches a method maintaining profiles of a user including likes and dislikes. McGill, however, fails to render the above-mentioned application's limitations obvious.

(iii) US PG PUB 20020095298 to Ewing teaches a method for setting up a profile of information for use by the gift giver in determining what gifts to purchase. Ewing, however, fails to render the application's above-mentioned limitations obvious.

(iv) US Patent 5,965,860 to Oneda teaches a method for placing flags on information that is provided by a user for future use by the user. Oneda, however, fails to render the application's above-mentioned limitations obvious.

(v) US Patent 6,101,484 to Hsu et al. teaches a method for creating a universal gift registry. HSU however, fails to render the application's above-mentioned limitations obvious.

(vi) US Patent 6,269,343 to Tackbary et al teaches a method for sending gifts... Tackbury, however, fails to render the application's above-mentioned limitations obvious.

Foreign Patent Documents

(vii) JP 2002109326 to Sasaki teaches a method for having the recipient enter data related to a gift; however, Sasaki fails to render the application's above-mentioned limitations obvious.

Non-Patent Literature

(viii) Hudson, teaches providing the recipient the opportunity to accept or reject a

gift. Hudson, however, does not render the application's above-mentioned limitations obvious.

(ix) Business Wire, teaches the capability for a gift recipient to accept or deny a gift. Business Wire, however, does not render the application's above-mentioned limitations obvious.

(x) Bravogifts.com teaches a gift advisor that suggests gifts based on a recipient's profile. Bravogifts.com, however, does not render the application's above-mentioned limitations obvious.

Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Fadok whose telephone number is 571.272.6755. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571.272.6763.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Va. 22313-1450

or faxed to:

571-273-8300 [Official communications; including
After Final communications labeled
"Box AF"]

For general questions the receptionist can be reached at
571.272.3600

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark Fadok
Primary Examiner